



Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact support@jstor.org.

THE VICE OF SECRET DIPLOMACY

BY A. MAURICE LOW

No greater contribution to political morality and national security has ever been made than that of the framers of the Constitution of the United States when they wrote the Sixth Article in these words:

“This Constitution, and the laws of the United States which shall be made in pursuance thereof; and all Treaties made, or which shall be made, under the authority of the United States, shall be the supreme Law of the land.”

It was a blow struck at that mass of intrigue, deceit and dishonesty which for centuries the world had known as secret diplomacy, the most vicious, immoral and dangerous power seized by a ruler in defiance of the rights of his subjects. Diplomacy was the royal prerogative. It was one of the divine attributes of kings. They it was who made war, contracted alliances, bartered territory, sacrificed liberty for a whim or superstitious fear. Even when the people began to exert their power, to assert their right to some control over their own affairs, to raise taxes and to determine how they should be spent, the king was still the sole authority in foreign relations. Diplomacy was supposed to be beyond the comprehension of the common mortal. It had to be conducted with much mystery and always great secrecy. The people knew nothing until they were plunged into war because in the exercise of his royal prerogative their sovereign had made a secret alliance, and the nation was committed to a costly campaign involving great sacrifices.

The framers of the Constitution determined this should be impossible in America. When they wrote into the compact of the States that treaties should have the same force as laws, they deprived a weak, ambitious or unscrupulous President of the power to contract a secret alliance. A law

to be observed must be made public, for no man can know what the law is unless it has been published. As a treaty was placed on the same footing as the law and had the same force and effect as a law, like the law it must be made public for its terms to be respected.

We have seen within the last few years the evils of secret diplomacy, that is the power of sovereigns to enter into agreements without the knowledge or acquiescence of their subjects; and the history of Europe, from the time that its history first began to assume concrete form and diplomacy was established as a principle, is largely the record of this unrestrained power. It is responsible for the endless intrigue and cabal so dear to the Minister without conscience or willing to barter his honor for gain. The people, the victims of the system, who had to pay for it, were always in a state of fear, never knowing when they were next to be dragged into the army and forced to fight for a shadowy cause about which they were ignorant and cared nothing. Yet while the world has seen nothing so disastrous as secret diplomacy, it has seen nothing so foolish, more befitting the idle moments of schoolboys, than the serious work of statesmen to whom the world ascribes genius.

Every nation in turn has sought to secure advantage by means of a secret alliance, and every treaty of alliance solemnly entered into, declaring on the faith of kings that it would be loyally observed, invoking the name of the Most High or the Trinity, in the stilted language of diplomacy as witness to the sincerity of the high contracting parties, has been merely a scrap of paper, made for the advantage of the moment and broken without a qualm of conscience when a greater advantage was to be obtained. That is the stupendous folly of this diplomacy. Similar to the Bourbons who learned nothing and forgot nothing, the necromancers who practised the black art of secret diplomacy forgot everything and profited nothing by experience, otherwise how can one explain that king succeeded king, and minister followed minister, and yet this wretched farce went on, not for a period, not for years, but for centuries, and the tradition has been handed down to our own times; for have we not seen the Autocrat of Prussia and the Autocrat of all the Russias writing to each other in the language of schoolboys and secretly intriguing against the peace of their neighbors?

Bismarck, the most cynical but also the most astute man of his times, defended his immorality by asserting that when he entered into a secret agreement intended to nullify a public convention he was simply taking out a policy of reinsurance. The phrase was his, but the principle was as old as diplomacy itself, and as mistaken. Instead of the secret treaty being a policy of reinsurance, that is a measure of protection, it was, on the contrary, always a measure of danger. Sovereigns were too well versed in the dishonesty of kings to put faith in the royal promise, and while treaties might be kept secret from their subjects they became known to the governments against whom they were directed, who on their part took out a policy of reinsurance against the treachery of a nominal ally by making a counter alliance. That has been one of the evils of the vice of secret diplomacy. It has never protected, it has never prevented war, it has never curbed the ambition of a conscienceless ruler, but it has provoked other and more dangerous combinations, and the allies confident of their strength have treacherously forced war or struck at the security of nations at peace.

It would require too much space merely to catalogue the long list of secret alliances and their consequences, but a few taken at random may be offered to show they never exercised the slightest restraint upon their signatories, and they were shamelessly broken almost as soon as they were concluded.

In 1516 Henry VIII of England entered into negotiations with Charles V of Spain directed against Francis I of France, whereupon Charles made a secret treaty with Francis. Later when both were rivals they sought the support of the King of England, and both bribed his chancellor, Cardinal Wolsey.

In 1668 England and the Netherlands made a secret treaty to force Louis XIV of France to make peace with Spain, but he heard the news with indifference. The forehanded Louis had already made a secret treaty with the Emperor of Austria by which they were to divide the Spanish dominions on the death of the then king.

Charles II of England, who was chronically hard up, secretly sold Dunkirk to France.

Richelieu was always making and breaking secret agreements.

The secret family compact of the Bourbons, France and Spain, in 1733, was one of the causes of the French and English war in America.

Napoleon detached Russia from the Allied cause and made her an enemy of England by the treaty of Tilsit. That treaty was made public, but the terms of a secret agreement made at the same time were kept secret.

In 1815, after Napoleon had been banished to Elba, the Allies met in Congress at Vienna to readjust the map, France having a voice. While the Congress was sitting England, France and Austria entered into a secret treaty directed against Russia and Prussia, their putative allies. The secret was so little a secret that the Czar knew of it immediately after the treaty was signed.

Napoleon III, walking in the footsteps of his illustrious uncle, secretly proposed to Bismarck that France should be given Belgium and Luxemburg as the price of his friendship to the new German Confederation.

In the discussion of secret diplomacy a confusion exists between negotiation and consummation. Secret negotiation is not only proper, but, in many cases, absolutely essential; it is so necessary that if negotiations were not kept secret few treaties could be concluded and the negotiators would always be hampered. If the political or commercial interests of the United States require it to obtain a strip of territory to construct a canal, or a group of islands having strategic value, it would be unwise in the extreme for the United States publicly to proclaim what it was after. It might get it, but it would be forced to pay an extravagant price, it might even fail because of the opposition of a rival. The essence of a good bargain—and a treaty, it must always be remembered, is only another name for a bargain—is secrecy and a certain skill in affecting indifference.

Secrecy, therefore, in the early stages of negotiation is perfectly proper and was so recognized by the men who made the Constitution, and they were good judges of how far it was wise to entrust authority. In explanation of the power given to the President to negotiate treaties, but not to conclude them, Jay wrote:

“It seldom happens in the negotiation of treaties, of whatever nature, but that perfect *secrecy* and immediate *dispatch* are sometimes requisite. There are cases where the most useful intelligence may be obtained, if the persons pos-

sessing it can be relieved from the apprehension of discovery." He adds "there are many persons who would rely on the secrecy of the President, but who would not confide in that of the Senate," therefore, "the convention has done well" in so arranging that although the President must act by the advice and consent of the Senate, "yet he will be able to manage the business of intelligence in such a manner as prudence may suggest."

This is an arrangement as nearly perfect as human intelligence can devise. It combines the prime requisites of secrecy in negotiation, which is all essential; counsel after the negotiations have been concluded, and publicity when the Council of State, the Senate, has assented. The United States is the one great nation that has written into its Constitution the equality of laws and treaties, but the example set by the United States, its morality and advantages, is beginning to make the peoples of other countries ask whether it would not be wiser for them to have a share in the making of treaties instead of surrendering their authority to a few persons: the sovereign in an autocratic government; in a democratic monarchy, as in England, where by a legal fiction the treaty runs in the name of the king, actually it is the Prime Minister and his Cabinet, the real Government of England, that negotiates and concludes.

Recently Mr. Balfour, the Secretary of State for Foreign Affairs, found it necessary to attempt to stem the growing demand for the democratization of European diplomacy. "I think there is in the public mind a profound illusion as to this so-called secret diplomacy," he told the House of Commons. Governments, he said, could no more conduct their affairs in the open than individuals reveal their domestic difficulties, so the business of diplomacy had to be conducted in secret, and the less light that was let in on "the mysterious intricacies of foreign diplomacy," the better it was for the peace of mind of all concerned. A member suggested that the creation of a Parliamentary Foreign Relations Committee, to have practically the same functions as those of the Foreign Relations Committee of the Senate, would be an improvement. Mr. Balfour did not agree with him. The present system worked well enough, and "to reveal from day to day what is ultimately revealed with all due precaution in the Blue Book would really be insanity."

No sane man proposes that the day to day conversa-

tions between the Minister and an Ambassador shall be revealed, but between that reticence and the unlimited power to commit the nation to a policy that involves thousands of lives and millions of treasure is quite another thing. What was the arrangement existing between Germany and Austria in the closing days of July, 1914? No one knew, for that was a secret between the two Emperors. How far was Germany prepared to go in the support of Austria in reducing Serbia to terms? Again that question remained unanswered, because while the two Emperors knew their subjects did not. What understanding existed between England and France? The British people did not know, the British Parliament did not know, neither the German Emperor nor the Austrian Emperor knew. Sir Edward Grey, the then Foreign Secretary, converted a somewhat loose entente, the terms of which even to this day no one knows, into a formal alliance, and then went down to the House of Commons and told what he had done. Parliament naturally had to stand behind the Government, what other course was possible?, but it simply ratified an executive act, after the act was committed, instead of delegating to the Executive authority to act, as the American Congress does, thanks to the foresight of the Fathers.

"Diplomacy with its shoes of felt" clings to secrecy because even in an age of progress diplomacy remains faithful to tradition. It resists innovation, and it stands triumphant as the one perfect institution devised by the perverted ingenuity of man. The professional diplomatic service of Europe is a trade union, very jealous of its membership, but, similar to other trade unions, while the members quarrel and intrigue against each other, they are always ready to forget their differences when in danger from outside attack. A Foreign Minister may know of the incompetence of his Ambassador, but the code of professional ethics and loyalty to the trade union stay his dismissal, because that would be a reflection upon the service. The interests of a nation may be put in jeopardy, but the feelings of a diplomat must never be hurt.

In the speech I have quoted Mr. Balfour said the business of a diplomat "is entirely directed not to making quarrels, but to healing quarrels; not to creating difficulty but to preventing difficulty; not to provoking war but to stopping war"; but when a member of the House of Com-

mons suggested that if the House had been taken into the confidence of the Government, the war would not have burst upon the country as an unexpected thunderbolt, Mr. Balfour said, "I do not believe that the Government, in June, 1914, had the slightest notion that there was any danger ahead." It was a cynic who described a doctor as saying to a patient, "I haven't as yet made the diagnosis, but do not alarm yourself needlessly, for we will be able to discover everything at the autopsy"; and Mr. Balfour's admission that sixty days before the greatest war the world has known the British Government had no suspicion of what was coming, suggests the happy indifference of the physician, who atones for his lack of diagnostic skill by his ability in making the post mortem, which satisfies the laudable curiosity of the practitioner but does not exactly compensate the patient. If it were not for the coroner fewer medical mistakes would go unrecognized, and the diplomat, shrouded from public gaze, can blunder until war or history, usually written long after the event, reveals his ineptitude, and then it is too late for the damage to be repaired. Lord Salisbury traded Heligoland for a shadowy German claim in Africa. Imagine the amiable Mr. Bryan, with his deep love of humanity and his horror of war, by virtue of his office as Secretary of State, offering to Germany Key West in consideration of Germany signing an arbitration treaty, convinced that Key West was of little value to the United States but its transfer to Germany would forever render impossible any danger of war between Germany and the United States, and then when the treaty was duly sealed, signed and delivered calmly announcing to the country his latest diplomatic triumph!

That brilliant Frenchman, André Chéradame, says:

The typical professional diplomat lives in a world of his own. Either his information comes from the office or it is second-hand; it rarely is reached by direct observation of people or facts. The secretaries of the Embassies divide their time between office work, copying documents in copper plate hand, or social functions, pleasant enough but confined to a particular and narrow set. Few of the secretaries know the language of the country in which they reside, fewer still travel in the interior of the land in order to study it.

It is necessary, he adds, to dispel the false notion the man in the street has of diplomacy. He fondly thinks that diplomats, while preparing clever and mysterious combina-

tions, fashion history, but experience shows that they merely chronicle history and do not make it; "diplomats are history's attorneys," is his epigrammatic description. "Unfortunately," he points out, "it does not seem that fortune has endowed any of our Allied countries, either before or since the war, with a head capable of leading, on grand lines, the diplomatic affairs of the Entente. The latter therefore has been only served by those diplomats who are mere officials, and who as such await instructions from higher quarters, and these instructions are very often found wanting."

No one, I think, will question the fairness of these observations. This war has torn away a lot of the tarnished trappings of conventional civilization, but nothing stands so thoroughly discredited as professional diplomacy, "folly in a coat that looks like sagacity." Between the assassination of the Archduke Francis Ferdinand and the Austrian ultimatum to Serbia twenty-five days elapsed. In those twenty-five days the world's fate was being decided, yet not a single Entente Ambassador nor a single Minister for Foreign Affairs had the slightest knowledge of what was going on, and so little was the gravity of the crisis appreciated that at the time of the delivery of the ultimatum some of the Ambassadors of the Great Powers were away from their posts on holiday. In London, Paris, Rome, and elsewhere Excellencies, with high sounding titles and numerous decorations, sat, in Crabbe's phrase, "dexterously writing despatches, and having the honor to be," but knowing nothing; blind themselves blissfully leading the blind, and looking forward with certitude to their invaluable services being rewarded with another Grand Cordon. The diplomacy developed by the war, and the diplomats who have made reputations, are those of the United States, which an Englishman may say without being accused of undue partiality. Gerard, Herrick, Francis, Van Dyke, Brand Whitlock, Maurice Egan, Penfield, and the two Pages, with no professional training and only the most perfunctory instruction, lawyers, bankers, men of letters, passing from their customary vocations to their new posts, have done extraordinarily well; in trying situations they have kept their heads and shown the same shrewdness, grasp of affairs and quick comprehension that won them their place in law, commerce and literature.

"The American Ambassador," a London newspaper

recently remarked, "owns none of that rather absurd diplomatic sentiment which sets the Diplomatic Service in a class apart; he has no superstitious awe of Chancelleries; and the portentous words Ballplatz and Wilhelmstrasse, Quai d'Orsay and Downing Street, which were used as a kind of incantation by the older school of professors of international politics, simply bore him. He wears neither star nor any other decoration. When he has something to say, he says it in plain United States." The newspaper quoted is the London *Morning Post*, the leading conservative journal of England, and a supporter and defender of the established order rather than an admirer of experiment. When it recognizes the absurdity of the frippery of modern diplomacy, or the sorry figure cut by Excellencies "who have the honor to be," and is impressed by the straightforwardness and directness of the American Ambassador speaking "in plain United States," there is hope that Europe will sweep out a ridiculous institution and the world will be freed from the "seething diplomacies and monstrous mendacities, horribly wicked and despicably unwise," in the language of Carlyle, who never minced his words.

European diplomacy is a survival for which there is little justification at the present time. It is an attempt to link the stage coach with the telephone, an unworkable combination; and it is about as sensible as it would be were our khaki clad girls to drive an ambulance in the crinolines of their Victorian grandmothers. Three or four hundred years ago the Ambassador really was the personal representative of his sovereign, in Sir Henry Wotton's classical phrase he was "an honest man sent abroad to lie for the good of his country"; and it was a seventeenth century commentator who advised that no matter what his religion, it was an Ambassador's duty to invent falsehoods and to go about making society believe them. In short, as Paschalius suggested, while an Ambassador should study to speak the truth, he was not debarred from the "official lie," and, on occasion, he should be *splendide mendax*. He was naturally deep in the confidence of his king, he was compelled to act almost entirely on his own judgment and initiative, because communication was slow and uncertain, and the great game in which sovereigns were engaged could be so easily upset by an Ambassador more adroit, whose wits were more nimble or who was more unscrupulous, who knew the right minister

to bribe or the woman to make love to; and it was an Empress of Russia who advised Frederick of Prussia to replace his elderly Ambassador with a young and handsome man having a good complexion. In those days youth, looks and a good complexion counted for much, and if in addition the royal representative was rich, a grand seigneur, able to turn a neat phrase, well versed in the classics, careful in his religious observances and yet sufficiently immoral to excite a flutter in the breasts of dowagers and anticipation in the hearts of the reigning beauties, then this Admirable Crichton would be a success as an Ambassador and either win for his master an empire or lose him his crown.

But we have changed all that, and the pulchritude of an Ambassador is no longer considered when he is about to be appointed, nor is it necessary that his complexion shall be the envy of a boarding school miss. He need not necessarily be old, but he will certainly not be young, for wisdom and not fascination is his recommendation, and yet how terribly unwise so many Ambassadors have proved themselves to be. He still remains that fictional character the personal representative of royalty, actually he is the agent of the Foreign Office, which keeps a very tight rein on him. In modern times, no Ambassador has latitude of action or is given a free hand, and every move he makes must be immediately reported to the Foreign Office.

In a period of profound peace, when the most cordial relations exist between two countries, it becomes necessary to adjust a minor shipping or trade matter, which has to be done by treaty. The Minister for Foreign Affairs makes the suggestion to the Ambassador, who undertakes to communicate with his Government, because that is the extent of his authority. He has no power to agree to anything, not even by inference. If the Minister for Foreign Affairs consents, he gives the Ambassador authority to enter into negotiations, and indicates the line to be followed. The negotiations proceed smoothly and a draft is prepared, which is submitted to the Foreign Office, where it is subjected to rigid scrutiny, passed upon by legal and other experts, perhaps a few changes made in form or phraseology. If the other side is willing to accept the changes the Ambassador must notify the Foreign Office; if counter proposals are made, even although they are trivial and do not affect the substance, the Ambassador must ask instructions. An

agreement having been reached the treaty is written on parchment in both languages in parallel columns, and even in an Anglo-American treaty the same form is observed, because of the difference in spelling certain words in England and America. Still the Ambassador can not sign until he has received specific authority and has exhibited to the Minister for Foreign Affairs what is technically known as "full powers," but really is the national power of attorney.

This is the routine followed in the most trivial negotiation. This close supervision, a supervision that would suggest the Foreign Minister has no confidence in his Ambassador, and dare not accord him the discretion the ordinary man gives his agent, is met by the paradox of the almost unlimited importance attached to the opinions, impressions and deductions of the Ambassador. Few Foreign Ministers have more than a superficial acquaintance of foreign countries, most of them know absolutely nothing of their people, their institutions or their politics. The Foreign Minister therefore is compelled to rely on the Ambassador, who, often ignorant of the language of the country, unable to read the vernacular press, because of his exalted position debarred from mixing freely with the people, and living in a narrow circle whose members are only too frequently misrepresentative of public opinion, is supposed to be able to keep his Foreign Minister correctly informed of the state of affairs, the currents of politics and the national sentiment. Is it any wonder that diplomats, now that we are getting some insight into their confidential correspondence, should have so woefully misled their Governments or proved how little they really understood the people to whom they were accredited? Yet so implacable is the diplomatic tradition, so firmly convinced is every Foreign Office in its own inerrancy, that the same Foreign Minister who will not trust his Ambassador to sign a petty treaty without the closest scrutiny, simply because custom does not ordain it, will unhesitatingly accept the information conveyed to him by the same Ambassador which may influence a policy leading to war.

Some time, one hopes that time may be near but dreads to think it may yet be far, but some time the greatest war mankind has known must be brought to a close by the signatures of the plenipotentiaries to the most momentous treaty of peace in the world's history. That treaty will, it can be

safely assumed, contain many radical and startling articles as befitting the climax to the titanic struggle, and may not America again serve the world by ridding it of secret diplomacy? By insisting that there shall be written in the treaty an article that in every country treaties shall like laws constitute the supreme law of the land, and must be ratified by Parliaments, the immorality of the secret agreement would no longer be possible. It would appeal to the democracies of England, France, Italy and Russia, and it would be championed by the enlightened republics of South America, whose constitutions have been so closely modelled on that of the United States. It would do more to keep the world safe for democracy than any one other thing. It would be a greater protection against a repetition of the horrors of the last three years than paper disarmaments, theoretical freedom of the seas, leagues of peace, or economic alliances. It would not bring Utopia, but it would make diplomacy honest, straightforward, clean; it would make almost impossible the chicanery, fraud, intrigue that for centuries have deluged Europe in blood and brought misery to its people, and there would be little further opportunity for a Hohenzollern or a Hapsburg, a Ferdinand or a Constantine, to make alliances for war unless with the authority and consent of their subjects.

A. MAURICE LOW.